

COPY 410-2

May 1, 1957

Elmer T. Bourque
Assistant Attorney General

Budgetary Control
Fish and Game Department

Honorable Raymond K. Perkins
Governor's Legislative Attorney

Dear Mr. Perkins:

This is in response to your letter of April 25, 1957, requesting our opinion as to whether the Governor is authorized in submitting his budget to the Legislature to include therein a suggested budget for the Fish and Game Department.

You refer in your letter to RSA 206:37 which empowers the Fish and Game Commission to

"govern the financial policies of the department and shall fix the budget for the operation and maintenance of its work for each fiscal year, which budget shall not be exceeded by the director."

You ask whether this provision divests the Governor of authority to include recommendations in his budget with reference to the Fish and Game Department.

It is the opinion of this office that the Governor is required to include recommendations with respect to the Fish and Game Department in his budget, RSA 206:37 notwithstanding.

Very truly yours,

Elmer T. Bourque
Assistant Attorney General

ETR/aml

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